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September 19, 2006

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### TRANSMITTAL SHEET

TO: USPTO CENTRAL FAX NUMBER

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FROM: DeWitt M. Morgan

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Practitioners Docket: 13429-40254

In re application of: JAMES M. CARTER

Application No.: 09/898,648 Group No.: 2614

Filed: 07/03/2001 Examiner: HAROLD, Jeffery F.

For: CARRIER WITH BUILT-IN AMPLIFICATION FOR PERSONAL AUDIO DEVICE

Response to Office Action of June 5, 2006 is attached.

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Practitioner's Docket No. 13429-40254

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James M. Carter

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Application No.: 09/898,648

Group No.: 2614

Filed: 07/03/2001

Examiner: HAROLD, Jefferey F.

For: CARRIER WITH BUILT-IN AMPLIFICATION FOR PERSONAL AUDIO DEVICE

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

## AMENDMENT/RESPONSE TRANSMITTAL

- Transmitted herewith is a Response to Office Action of June 5, 2006.

## STATUS

- Applicant is a small entity. A statement was already filed.

## EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee: \$60.00

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10\*

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## TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.
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\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Amendment Transmittal—page 1 of 2

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## FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA				SMALL ENTITY RATE		ADDIT. FEE
TOTAL	15	-	20	=	0	x	\$ 25.00	=	\$ 0.00
INDEP.	5	-	5	=	0	x	\$ 100.00	=	\$ 0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						+	\$ 0.00	=	\$ 0.00
TOTAL ADDIT. FEE								\$	0.00

No additional fee for claims is required.

## FEE PAYMENT

5. Authorization is hereby made to charge the amount of \$60.00 to Deposit Account No. 181754.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

## FEE DEFICIENCY

6. If an additional extension and/or fee is required, charge Account No. 18-1754.

If an additional fee for claims is required, charge Account No. 18-1754.

Date: 09/19/06

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Practitioner's Docket No. 13429-40254

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: JAMES M. CARTER

SEP 19 2006

Application No.: 09/898,648 Group No.: 2614

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Examiner: HAROLD, Jeffery F.

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Commissioner for Patents

P.O. Box 1450

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RESPONSE TO OFFICE ACTION DATED 06/05/2006

## REMARKS

The rejection of claims 9-11 under 35 U.S.C. § 103(a) as unpatentable over U.S. patent No. 4,933,921 to Saunders considered with U.S. patent No. 2,678,779 to Bellmer is traversed.

As summarized in the Abstract, Saunders relates to:

A portable wireless sound reproduction system includes a first portable housing having a sound signal receiving circuit and controls for processing the sound signal into two signals for transmission by two separate sound signal transmitters located in the same housing. A pair of speakers is detachably connected to the first housing and include receivers for receiving the wireless transmission of signals from the transmitters. The two speakers are adapted to be disposed in side-by-side relation with the first housing completely overlying and detachably connected to each of the speakers. [Emphasis added]

The word "wireless" is used, approximately, 12 times in the specification and claims. Further, in describing the prior art in col. 1, particularly, ll. 27-42, Saunders states:

Also to date such assemblies have included two separable speakers connected by extension leads to a central receiver/player. Such arrangements are cumbersome and expensive to produce. In addition, the placement of the cables may be hazardous. In portable installations the provision of